

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

FEB 24 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Administration Of The
North American Numbering Plan

)
)
) CC Docket No. 92-237
) Phase I

REPLY COMMENTS OF THE NYNEX TELEPHONE COMPANIES

I. INTRODUCTION

New England Telephone and Telegraph Company and New York Telephone Company (the NYNEX Telephone Companies or NTCs) submit these Reply Comments to comments filed December 28, 1992, in the above-captioned matter. These pleadings were invited by the Commission's Notice Of Inquiry (NOI) released October 29, 1992, on the long range issues of who should administer the North American Numbering Plan (NANP), how the administration might be improved, local numbering portability, Personal Communications Service (PCS) numbering, etc. We address these areas in turn.

II. IDENTITY OF THE NANPA

We showed in our initial Comments that Bellcore has competently performed the NANP Administrator (NANPA) function, and can be counted on to do so in the future. We further indicated that to the extent there is a decision to pursue alternatives to Bellcore as NANPA, we would be willing to help

No. of Copies rec'd
List A B C D E

045

review such options. We then set forth specific attributes of an effective and efficient NANPA.

Although some commentators share the view of the NTCs that Bellcore has effectively fulfilled its role as NANPA,¹ other commenting parties have recommended that Bellcore not continue as the NANPA.² In general, these parties suggest that with growing competition, there is an inherent conflict of interest in the Regional Bell Operating Companies (RBOCs) owning Bellcore/NANPA and using numbering resources.

Just the perception of a conflict of interest on Bellcore's part and the many unjustified claims of bias could interfere with the important and complex tasks performed by Bellcore to integrate networks among multiple service providers.³ As a result, the Commission may decide it is in the public interest to alter the identity of the existing NANPA and establish new NANPA procedures and guidelines. If this should occur, the NTCs would not oppose an orderly transfer of NANPA to an appropriate entity not affiliated with Bellcore as long as the specific attributes for effective and efficient NANP administration as detailed in our initial Comments were met. If the NANPA function is transferred, the new

¹ See, e.g., Ameritech, Bell Canada, Centel, Cincinnati Bell, North Pittsburgh Tel., Pacific Tel., Rochester Tel., Southwestern Bell.

² See, e.g., AT&T, McCaw, MFS, Teleport, Telocator.

³ It would not be an efficient use of this proceeding to dwell upon allegations as to past conduct. Suffice it to say that the critics of Bellcore as NANPA have not shown any concerns which could not be effectively addressed through prospective safeguards, advisory councils, etc.

administrator must perform at least the same tasks as the current NANPA and have the same authority to deal with multinational concerns and effectively implement its plans and guidelines.

To assure a smooth transition, the NTCs would support Bellcore continuing to administer the NANP until after the implementation of Carrier Identification Code (CIC) expansion, and interchangeable Numbering Plan Area (NPA) codes in 1995.

III. FRAMEWORK FOR THE FUTURE NANPA

As noted, all functions performed by the NANPA today would be performed by an independent entity. It would be efficient for the Commission to make maximum use of existing industry forums, modified as necessary to assure broadly based representation and the ability to marshall the expertise of the various industry segments.⁴ In this vein, the Commission should strive for greater centralization of numbering matters, and less proliferation of industry bodies. Thus, for example, the industry could have an existing body designated as the new NANPA, and this entity could utilize a Request For Proposal (RFP) process as appropriate to delegate certain

⁴ McCaw (at p. 3) criticizes the current industry process of developing central office code assignment guidelines. McCaw's comment in this area is very puzzling and misses the mark. McCaw has energetically taken advantage of more than ample opportunity to have its views heard in the Central Office Code Assignment Guidelines Workshop. Given the multitude of interested parties and the complexity of the issues in seeking uniform guidelines across the World Zone I, it is not surprising that such guidelines take more than a year to finish.

ministerial-type functions. Also, an industry advisory council with FCC involvement could be created. The advisory council would be comprised of representatives of the primary industry segments and would be responsible for aiding the NANPA to implement and interpret a predetermined set of administrative guidelines established by industry consensus. The advisory council could also act as a mediator and ensure fair dispute resolution in a timely fashion.

An equitable and cost-causative industry funding mechanism would also be developed and implemented by the industry advisory council.

This industry approach would be the appropriate means to provide advice and guidance to the NANPA under telecommunications policy direction from the FCC and with input from state regulatory authorities.

IV. LOCAL NUMBER PORTABILITY

A review of comments filed in this docket in this area demonstrates the complexity of the issues and the lack of a common definition of local number portability, as well as the need for the Commission to proceed with caution.

Although some parties urge the Commission to move swiftly ahead with implementation of local number portability, a more reasoned reading of the many comments filed clearly demonstrates the magnitude of the issues with which the

industry would be faced.⁵ At the outset, a common definition of local number portability is a necessary precedent to determining technical feasibility. Assuming technical feasibility, the cost to provide the service would then need to be developed.

Contrary to some representations,⁶ the efforts required to implement local number portability would be significant. Clearly, number portability, as described by some commentators, would require development of new software and switching capabilities. Technical requirements would have to be developed. This would involve a multi-year process⁷ and significant expense. At this time, these issues are best left to industry forums for discussion and resolution, since the impacts of local number portability will affect the entire industry.

⁵ See Canadian Steering Committee on Numbering, Illinois Commerce Commission, MCI, MFS, PageNet, Sprint. These parties highlight some of the major issues that would require resolution, e.g., technical feasibility, expense, complexity, cost recovery, and demand.

⁶ For example, Teleport asserts that (p. 7) local number portability is expected to be a normal Advanced Intelligent Network (AIN) feature. While redirection of a call based on dialed digits is an anticipated feature of AIN, we do not expect that such functionality will be applied for every call placed over the Public Switched Telephone Network (PSTN) due to the extensive AIN resources that would be required. AIN, at its current stage of development, does not contemplate screening all calls, which number portability may require.

⁷ MFS has argued (p. 4) that the introduction of local number portability be required within one year after an eligible carrier requests it. Based on the development work that would be required, it simply would not be possible to introduce local number portability in such a short time frame.

Furthermore, the industry would need to test for consumer willingness to pay for local number portability versus existing services that might serve essentially the same purpose, i.e. to make a change of telephone number transparent to calling parties.

As a result of CC Docket No. 86-10, the Commission is obtaining firsthand experience with the implementation of number portability for 800 service. The implementation of number portability for geographic NPAs would be much more complex. At a minimum, action by the Commission on local number portability should not be undertaken until further experience is gained in implementing 800 number portability.⁸

In the alternative, if the Commission decides to move ahead with an examination of local number portability, or some alternative, it should develop a complete record. This would best be done in a separate proceeding.

V. PCS NUMBERING

As pointed out in our initial Comments (pp. 7-8), PCS numbering approaches are the subject of ongoing work in various industry forums.⁹ The Commission should continue to monitor these efforts. It would be premature for the FCC to take any

⁸ See also Illinois Commerce Commission, pp. 7-8 (urging that the experience with 800 be carefully watched).

⁹ See also Ameritech, BellSouth, Rochester Tel., Southwestern Bell.

specific action now such as declaring eligibility for the use of nongeographic codes.¹⁰

VI. CONCLUSION

The FCC should continue to gather information and carefully examine the need for an alternative NANPA; proceed with caution on local number portability; and continue to monitor industry work regarding PCS numbering.

Respectfully submitted,

New York Telephone Company
and
New England Telephone and
Telegraph Company

By: Campbell L. Ayling
Mary McDermott
Campbell L. Ayling

120 Bloomingdale Road
White Plains, NY 10605
914-644-5245

Their Attorneys

Dated: February 24, 1993

¹⁰ Cf. McCaw, Telocator.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REPLY
COMMENTS OF THE NYNEX TELEPHONE COMPANIES, was served by first
class United States mail, postage prepaid, on each of the
parties indicated on the attached service list, this 24th day
of February, 1993.


Lauren A. Shields

James D. Blaszk, Esq.
Gardner, Carton & Douglas
1301 K Street, NW
Washington, D.C. 20005

Bruce D. Jacobs
Glenn S. Richards
Fisher, Wayland, Cooper & Leader
1255 23rd Street, NW
Suite 800
Washington, DC 20037

Dr. Lee Selwyn
Economics and Technology, Inc.
One Washington Mall
Boston, MA 02108

AMSC SUBSIDIARY CORPORATION
Lon C. Levin
1150 Connecticut Avenue, NW
Washington, DC 20036

AIR TRANSPORT ASSOC.
OF AMERICA
James L. Casey
Ass't General Counsel
1301 Pennsylvania Ave., NW
Washington D.C. 20004

AMERICAN PERSONAL COMMUNICATIONS
J. Barclay Jones
1025 Connecticut Ave., NW
Washington DC 20036

AERONAUTICAL RADIO, INC.
John L. Bartlett
Robert J. Butler
Wiley, Rein & Fielding
1776 K Street, NW
Washington, D.C. 20006

COVINGTON & BURLING
1201 Pennsylvania Ave., NW
Post Office Box 7566
Washington, DC 20044

ALLNET COMMUNICATION SERVICES, INC.
Roy L. Morris
Deputy General Counsel
1990 M Street, NW Suite 500
Washington, DC 20036

AT&T
Francine J. Berry
R. Steven Davis
Albert M. Lewis
295 North Maple Ave.
Room 3244J1
Basking Ridge, NJ 07920-1002

AMERITECH
Floyd S. Keene
Larry A. Peck
2000 W. Ameritech Center Dr.
Roo, 4H86
Hoffman Estates, IL 60196-1025

BELLSOUTH
William B. Barfield
Thompson T. Rawls II
1155 Peachtree Street, NE
Suite 1800
Atlanta, GA 30367-6000

AMERICAN PUBLIC COMMUNICATIONS
COUNCIL
Albert H. Kramer
Robert F. Aldrich
Keck, Mahin & Cate
1201 New York Ave. NW
Penthouse Suite
Washington, DC 20005-3919

CELLULAR TELECOMMUNICATIONS
INDUSTRY ASSOCIATION
Michael F. Altschul
Michele C. Farquhar
Two Lafayette Centre
Suite 300
1133 21st Street, NW
Washington, DC 20036

BELL ATLANTIC
John M. Goodman
Charles H. Kennedy
1710 H Street, NW
Washington, DC 20006

CENTEL CORPORATION
A.A. Kurtze
8725 Higgins Road
Chicago, IL 60631

BELL CANADA (Extra Postage)
H.R. Burrows
F4 160 Elgin St.
Ottawa, Ontario, Canada
K1G3J4

CSCN (Extra Postage)
A. Lewis
410 Laurier Ave. West
Box 2410 Station D
Ottawa, Ontario
K1P6H5

BELLCORE
Michael S. Slomin
290 West Mount Pleasant Ave.
Livingston, N.J. 07039

FROST & JACOBS
Thomas E. Taylor
Christopher J. Wilson
2500 Central Trust Center
210 East Fifth St.
Cincinnati, OH 45202

DOW, LOHNES & ALBERTSON
Werner K. Hartenberger
J.G. Harrington
Laura H. Phillips
1255 23rd Street
Suite 500
Washington, DC 20037

MCI
Loretta J. Garcia
Donald J. Elardo
1801 Pennsylvania Ave. NW
Washington, DC 20006

GTE
Daniel L. Bart
1850 M. Street, NW, S. 1200
Washington, DC 20036

MCCAW CELLULAR COMMUNICATIONS, INC.
Mark R. Hamilton
Marsha Olch
5400 Carillon Point
Kirkland, WA 98033

THE ILLINOIS COMMERCE COMMISSION
Darrell S. Townsley
160 North LaSalle St.
Suite C-800
Chicago, IL 60601

SWIDLER & BERLIN, Chartered
Andrew D. Lipman
Russell M. Blau
3000 K Street, NW
Washington, DC 20007

INFORMATION INDUSTRY ASSOCIATION
Angela Burnett
555 New Jersey Ave. NW
Suite 800
Washington, DC 20001

NARUC
Paul Rodgers
Charles D. Gray
James Bradford Ramsay
1102 ICC Building
Post Office Box 684
Washington, DC 20044

INTELLICAL, INC.
REED SMITH SHAW & MCCLAY
Judith St. Ledger-Roty
Lynn E. Shapiro
1200 18th Street, NW
Washington, DC 20036

NATIONAL CABLE TELEVISION
ASSOCIATION, INC.
Daniel L. Brenner
David L. Nicoll
1724 Massachusetts Ave. NW
Washington, DC 20036

NATIONAL TELEPHONE
COOPERATIVE ASSOCIATION
Steven E. Watkins
David Cosson
2626 Pennsylvania Ave. NW
Washington, DC 20037

PACIFIC TELESIS GROUP
James L. Wurtz
1275 Pennsylvania Ave. NW
Washington, DC 20004

NEW YORK STATE DEPARTMENT
OF PUBLIC SERVICE
William J. Cowen
Three Empire State Plaza
Albany, NY 12223

PAGING NETWORK, INC.
REED SMITH SHAW & MCCLAY
Judith St. Ledger-Roty
1200 18th Street, NW
Washington, DC 20036

NORTH AMERICAN TELECOMMUNICATIONS
ASSOCIATION
Albert H. Kramer
Robert F. Aldrich
Keck, Mahin & Cate
1201 New York Ave, NW
Penthouse Suite
Washington, DC 20005-3919

ROCHESTER TELEPHONE CORP.
Josephine S. Trubek
Michael J. Shortley
180 South Clinton Ave.
Rochester, NY 14646

PACIFIC TELESIS GROUP
James P. Tuthill
Nancy C. Woolf
140 New Montgomery St.
Room 1523
San Francisco, CA 94105

THE SOUTHERN NEW ENGLAND
TELEPHONE CORPORATION
Linda D. Hershman
227 Church Street
New Haven, CT 06510

PACIFIC TELESIS GROUP
M. de B. Brown
130 Kearny St.
Rm 3659
San Francisco, CA 94108

SOUTHWESTERN BELL
James D. Ellis
William J. Free
Mark P. Royer
One Bell Center
Room 3524
St. Louis, MO 63101-3099

SPRINT CORPORATION
Jay C. Keithley
Leon Kesetenbaum
Phyllis Whitten
1850 M Street, NW
Suite 1100
Washington, DC 20036

TELECOM CANADA
A. Richard Metzger, Jr.
607 Fourteenth St. NW
Washington, DC 20005-2011

SPRINT CORPORATION
W. Richard Morris
P.O. Box 11315
Kansas City, MO 64112

UNITED STATES TELEPHONE
ASSOCIATION
Martin T. McCue
Linda Kent
900 19th Street, NW
Suite 800
Washington, DC 20006-2105

TELCO PLANNING, INC.
D. Kelly Daniels
808 The Pittcock Block
921 S. Washington
Portland, OR 97205

UNITEL COMM., INC. (Extra Postage)
Mark H. Goldberg
200 Welington St. West
Toronto, Ontario
M5V 3C7

TELOCATOR
R. Michael Senkowski
Jeffrey S. Linder
Wiley, Rein & Fielding
1776 K Street, NW
Washington, DC 20006

US WEST, INC.
Jeffrey S. Bork
1020 19th Street, NW
Suite 700
Washington, DC 20036

TELEPORT COMMUNICATIONS GROUP
Alex J. Harris
One Teleport Drive
Staten Island, NY 10311-1011

WHIDBEY TELEPHONE COMPANY
David C. Henny
2747 E. State Highway 525
Langley, Washington 98260-9799

NORTH PITTSBURGH TELEPHONE CO.
G.A. Gorman
4008 Gibsonia Road
Gibsonia, Pennsylvania 15044-9311